UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,124	10/30/2001	David Lawrence	3499-135	3578

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CLIFFORD CHANCE US LLP
31 WEST 52ND STREET
NEW YORK, NY 10019-6131

EXAMINER
SUBRAMANIAN, NARAYANSWAMY

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _____ .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-15 and 22-24* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-15 and 22-24* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413)
                                                        Paper No(s)/Mail Date. _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   5) ☐ Notice of Informal Patent Application (PTO-152)
   Paper No(s)/Mail Date _____ .   6) ☐ Other: _____ .

DETAILED ACTION

1.   This office action is in response to applicant's communication filed on August 23, 2004.

Applicant's election of claims 1-15 and 22-24 without traverse in response to restriction/election

requirements and cancellation of claims 16-21 have been entered. Claims 1-15 and 22-24 are

currently pending. The rejections and response to arguments are stated below.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the art to which said subject
> matter pertains. Patentability shall not be negatived by the manner in which the invention was
> made.

3.   Claims 1-15 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Basch et al (US Patent 6,119,103) in view of Abreu (US Pub. No. 2001/0056359)

        With reference to claim 1, Basch teaches a computer-implemented method for managing

risk related to a financial transaction, the method comprising: receiving into a computer storage

informational data from an information source (See Basch Figure 1, Col 7 lines 49-51, FRPS

system includes a computer storage also); receiving into the computer storage a financial

transaction risk variable with a processor operatively attached to a computer storage (See Basch

Figure 1, Col 3 lines 51-56 and Col 16 lines 8-13); and associating the informational data from

an information source to the financial transaction risk variable (See Basch Figure 1, Col 7 lines

44-49).

Basch does not explicitly teach the steps of tagging the informational data in the

computer storage with an indicator of the information source; transmitting via a transmission

medium and a communication network the informational data associated with the financial

transaction risk variable; and transmitting via a transmission medium and a communication

network a link to the information source.

Abreu teaches the steps of tagging the informational data in the computer storage with an

indicator of the information source (See Abreu Paragraph 131, file that connects to another

website that has the information is interpreted to include tagging an indicator of the information

source) and transmitting via a transmission medium and a communication network the

informational data (See Abreu Paragraphs 126 and 131) and transmitting via a transmission

medium and a communication network a link to the information source (See Abreu Paragraphs

126 and 131, file that connects to another website implies a link).

It would have been obvious to one with ordinary skill in the art at the time of invention to

include the steps taught by Abreu to the invention of Basch. The combination of the disclosures

taken as a whole suggests that it would have helped the user identify the source of information

and make it easy for the user to contact the information source when necessary.

With reference to claim 2, Basch teaches computer-implemented method for managing

risk related to a financial transaction, the method comprising: receiving into a computer storage

informational data related to a financial transaction risk variable (See Basch Figure 1, Col 7 lines

49-51, FRPS system includes a computer storage also); receiving into the computer storage a list

containing one or more financial transaction risk variables (See Basch Figure 1, Col 3 lines 51-

56 and Col 16 lines 8-13, a financial transaction risk variable is a list of one); associating with a

processor operatively attached to a computer storage the informational data with the financial

transaction risk variable (See Basch Figure 1, Col 7 lines 44-49); and receiving into the computer

storage an update of the informational data related to a financial transaction risk variable (See

Basch Figure 1, Col 7 lines 49-51, FRPS system includes a computer storage also). Informational

data includes historical data as well as current or updated data.

Basch does not explicitly teach the steps of transmitting via a transmission medium and a

communication network the informational data including updated data associated with the

financial transaction risk variable.

Abreu teaches the steps of transmitting via a transmission medium and a communication

network the informational data including updated data (See Abreu Paragraphs 46, 126 and 131).

It would have been obvious to one with ordinary skill in the art at the time of invention to

include the steps taught by Abreu to the invention of Basch. The combination of the disclosures

taken as a whole suggests that it would have helped the user stay updated on information relevant

to his/her transaction.

With reference to Claim 3, Basch teaches the step of generating with the computer

processor operatively attached to computer storage, a risk quotient and a suggested action

responsive to the risk quotient, the risk quotient comprising at least one of a scaled numeric

value and a scaled alphanumeric value. (See Basch Column 5 lines 11-17). The risk score, which

is a scaled numeric value, is interpreted to include a risk quotient also and the step of

transmitting the score to an account issuer based on the score is interpreted to include the step of

generating a suggested action responsive to the risk quotient. The computer processor

operatively attached to computer storage is a part of the FRPS system.

With reference to Claim 4, Basch teaches the steps of: storing the information received, the risk quotient and the suggested action into the computer storage (See Basch Figure 4, transaction archive includes storing the information received, the risk quotient and the suggested action); and generating with the computer processor a diligence report referencing the stored information (See Basch claims 3-7 and Column 10 lines 24- 32 and 55-60) The reports are interpreted to include diligence reports also, a computer processor is a part of the FRPS.

With reference to Claim 5, Basch teaches a method of claim 4 wherein the diligence report comprises the information received relating to details of the transaction and actions taken responsive to the risk quotient. (See Basch Column 13 lines 26-62) The format of the alerts and reports are interpreted to include details of the financial transaction and actions taken responsive to the risk quotient.

With reference to Claim 6, Basch teaches a method of claim 4 wherein the suggested action is additionally responsive to the information received. (See Basch Column 8 lines 2-12) The dispute action is interpreted to include action is additionally responsive to the information received.

With reference to Claim 7, Basch teaches a method of claim 4 wherein specific filters can be tailored according to a geographic location and for a particular type of transaction. (See Basch Column 16 lines 26-32 and 51-57) Designing filters tailored according to a geographic location and for a particular type of transaction is interpreted to include the step wherein suggested action is directed towards reducing risk related to a transaction with international exposure.

With reference to Claim 9, Basch teaches a method of claim 4 wherein the suggested action comprises blocking acceptance of an account. (See Basch claim 6) Denying authorization request is interpreted to include the step of blocking acceptance of an account.

With reference to Claim 10, Basch teaches a method of claim 4 wherein the suggested action comprises notifying an authorized private or public data services. (See Basch Column 9 line 62 – Column 10 line 3) The authorized private or public data services are interpreted to include an authority.

With reference to Claims 11 and 12, Basch teaches a method of claim 1 or 2 wherein the risk variable comprises the identity of an entity involved in the transaction (See Basch Column 5 lines 8-11) and wherein the information received is received electronically (See Basch Column 8 lines 20-22 and Column 8 line 60 – Column 9 line 10).

With reference to Claim 13, Basch teaches a method of claim 3 additionally comprising the step of aggregating risk quotients relating to a financial institution to assess a level of identified risk to which the financial institution is exposed. (See Basch Column 5 line 62 – Column 6 line 8)

With reference to Claim 14, Basch teaches a method of claim 3 wherein scores are generated for transactions. (See Basch Column 17 lines 9-11) The scores are interpreted to include an average risk quotient associated with a transaction.

With reference to Claim 15, Basch teaches a method of claim 1 or 2 wherein the transaction comprises opening a financial account (See Basch Column 11 lines 3-5).

With reference to Claim 22, Abreu teaches the step wherein the informational data is regulatory (See Abreu Paragraph 123) Informational data from US Government and agencies are

interpreted to include regulatory information. Since the risk quotient includes the information

provided, the risk quotient is indicative of an amount of regulatory risk.

With reference to Claim 23, Basch teaches the step wherein the risk quotient is indicative

of an amount of reputational risk (See Basch Column 9 lines 22-38). Information about

bankruptcy, fraudulent usage are data related to reputational risks and since these are included in

the scores the risk quotient is indicative of the reputational risk as well.

With reference to Claim 24, Basch teaches the step wherein the risk quotient is indicative

of a financial risk (See Basch Column 9 lines 22-32). Financial risk is interpreted to include an

amount of risk associated with monetary costs related to cost to defend an adverse position or a

fine.

Response to Arguments

4.   Applicant's arguments with respect to claims 1-21 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (703) 305-4878. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (703) 308-1065. The fax number for Formal or Official faxes and Draft or Informal faxes to the Patent Office is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

N. Subramanian
November 5, 2004

Jagdish N. Patel
Primary Examiner